

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

JUAN EDUARDO COLON MARRERO
XXX-XX-9827

JUANA MARIA CORREA QUINONES
XXX-XX-4452

Debtor(s)

Case No.: 22-00979 (MCF)

Chapter 13

TRUSTEE'S OBJECTION TO CLAIMED EXEMPTIONS

TO THE HONORABLE COURT:

NOW COMES José R. Carrión, Chapter 13 Trustee, through the undersigned attorney, and very respectfully alleges and prays:

1. On April 4, 2022, Debtors filed Schedule C of the Bankruptcy Petition (**Docket 1**) and included, among others, the following exemptions under 11 U.S.C. §522:

Urb. Villa Caliz I 1 Verdad Street Caguas PR 00727 The Joint-Debtor owns a 50% property interest in a residential real property located at Urb. Villa Caliz I, 1 Verdad Street Caguas Puerto Rico; the other 50% is owned by Sucesion Guillermo Ramos	522(d)(1))	\$36,000.00
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2. The meeting of creditors was held on June 14, 2022 (Docket 15).

3. Section §522(d)(1) of the Bankruptcy Code, known as the homestead exemption, provides that each debtor may exempt up to \$27,900.00 of his or her aggregate interest in the value of their residence.

4. As stated, the only debtor with an aggregate interest in the abovementioned property is Joint Debtor Juana Maria Correa Quinones, with a value of 50 percent. The other 50 percent belongs to Sucesion Guillermo Ramos. Debtor Juan Eduardo Colon Marrero does not have an aggregate interest in the property located in Villa Caliz, Caguas and, thus, cannot claim an exemption over the same.

5. Since Joint Debtor Juana Maria Correa Quinones is the only one entitled to claim an exemption, the total amount that can be claimed under 11 U.S.C. §522(d)(1) over the said property is \$27,900.00.

6. In light of the above, the Trustee objects the exemption taken under 11 U.S.C. §522(d)(1) over the property in Villa Caliz, Caguas, as to the excess amount of \$8,100.00.

WHEREFORE the Trustee respectfully prays that an order be entered denying the Debtor's claimed exemptions as set out above.

14 DAYS NOTICE: The Debtor(s) is hereby notified that unless an opposition to this objection is submitted in writing within **14** days from the date appearing in the certificate of

service, infra, the Court may grant this motion without the need of an actual hearing.

RESPECTFULLY SUBMITTED

CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sent a notification TO all CM/ECF participants, including Debtor's attorney and I further certify that I have mailed this document by First Class Mail postage prepaid to debtors, at their mailing address of record Urb. Villa Caliz I, 1 Calle Verdad, Caguas, P.R. 00727.

In San Juan, Puerto Rico, this 24th day of June, 2022.

By: /s/ Alexandra Rodríguez Díaz, Esq.
Staff Attorney
USDC No. 224311

/s/ José R. Carrión

JOSE R. CARRION
CHAPTER 13 TRUSTEE

P.O. Box 9023884
San Juan, P.R. 00902-3884
Tel (787) 977-3535

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
JUAN EDUARDO COLON MARRERO
JUANA MARIA CORREA QUINONES

DEBTOR (S)

CASE NO. 22-00979-MCF

CHAPTER 13

AFFIDAVIT FOR DEFAULT JUDGEMENT
PURSUANT TO SECTION 201(b) (4)
OF THE SERVICEMEMBERS CIVIL RELIEF ACT OF 2003

I , Nilda Muniz , clerk for the Chapter 13 & 12 Trustee's Office, declare under penalty of perjury, the following:

That according to the enclosed certification, provided by the Department of Defense Manpower Data Center (DMDC), the Debtor(s) is (are) not in active duty or under call to active duty as a member(s) of the Army, Navy or Air Forces of the United States of America; the National Guard; the Public Health Service or the National Oceanic and Atmospheric Administration.

To certify the above statement I sign this affidavit,

In San Juan, Puerto Rico, June 24, 2022.





Status Report Pursuant to Servicemembers Civil Relief Act

SSN: XXX-XX-9827
Birth Date:
Last Name: COLON MARRERO
First Name: JUAN
Middle Name: EDUARDO
Status As Of: Jun-24-2022
Certificate ID: GW4F8PVJ1P55FNJ

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Michael V. Sorrento, Director
Department of Defense - Manpower Data Center
400 Gigling Rd.
Seaside, CA 93955

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: <https://scra.dmdc.osd.mil/scra/#/faqs>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.



Status Report Pursuant to Servicemembers Civil Relief Act

SSN: XXX-XX-4452
Birth Date:
Last Name: CORREA QUINONES
First Name: JUANA MARIA
Middle Name:
Status As Of: Jun-24-2022
Certificate ID: Q3P0BMKV6XMXVTY

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
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Order Notification Start Date	Order Notification End Date	Status	Service Component
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This response reflects whether the individual or his/her unit has received early notification to report for active duty			

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Department of Defense - Manpower Data Center
400 Gigling Rd.
Seaside, CA 93955

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WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail to the parties listed below:

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DATED: June 24, 2022

Yaraliz Cora

OFFICE OF THE CHAPTER 13 TRUSTEE